

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

-----X  
Frimet Kish, individually and on  
behalf of all others similarly situated,

ANSWER

Plaintiff,

21-cv-2272

-against-

MCS Claim Services, Inc.,

Defendant.  
-----X

Defendant, MCS CLAIM SERVICES, INC., by its attorneys, BARRON  
& NEWBURGER, P.C., answers plaintiff's complaint as follows:

1. This paragraph contains no factual allegations directed against the defendant and requires no admission or denial.
2. This paragraph contains no factual allegations directed against the defendant and requires no admission and denial.
3. Defendant admits the allegations contained in paragraph "3" of the complaint.
4. Defendant admits the allegations contained in paragraph "4" of the complaint.
5. Defendant acknowledges plaintiff's efforts to bring this matter as a class action but denies that this matter is suitable for class action certification and denies any violation of the FDCPA.
6. Defendant acknowledges plaintiff's efforts to bring this matter as a class action but denies that this matter is suitable for class action certification and denies any violation of the FDCPA.

7. Defendant admits the allegations contained in paragraph “7” of the complaint.

8. Defendant admits the allegations contained in paragraph “8” of the complaint.

9. Defendant admits the allegations contained in paragraph “9” of the complaint.

10. Defendant acknowledges plaintiff’s efforts to bring this matter as a class action but denies that this matter is suitable for class action certification and denies any violation of the FDCPA.

11. Defendant acknowledges plaintiff’s efforts to bring this matter as a class action but denies that this matter is suitable for class action certification and denies any violation of the FDCPA.

12. Defendant denies each and every allegation contained in paragraph “12” of the complaint.

13. Defendant denies each and every allegation contained in paragraph “13” of the complaint.

14. Defendant denies each and every allegation contained in paragraph “14” of the complaint.

15. Defendant denies each and every allegation contained in paragraph “15” of the complaint.

16. Defendant denies each and every allegation contained in paragraph “16” of the complaint.

17. Defendant denies each and every allegation contained in

paragraph “17” of the complaint.

18. Defendant denies each and every allegation contained in paragraph “18” of the complaint.

19. Defendant repeats and realleges its previous admissions and denials contained in paragraphs “1” through “18” of the complaint.

20. Defendant admits the allegations contained in paragraph “20” of the complaint.

21. Defendant admits the allegations contained in paragraph “21” of the complaint.

22. Defendant admit the allegations contained in paragraph “22” of the complaint.

23. Defendant admit the allegations contained in paragraph “23” of the complaint.

24. Defendant admit the allegations contained in paragraph “24” of the complaint.

25. Defendant admit the allegations contained in paragraph “25” of the complaint.

26. Defendant admits the allegations contained in paragraph “26” of the complaint.

27. Defendant would refer the Court to the actual exhibit for the full content of the correspondence, which speaks for itself.

28. Defendant denies each and every allegation contained in paragraph “26” of the complaint.

29. Defendant denies each and every allegation contained in paragraph “26” of the complaint.

30. Defendant denies each and every allegation contained in paragraph “26” of the complaint.

31. Defendant denies each and every allegation contained in paragraph “31” of the complaint.

32. Defendant denies each and every allegation contained in paragraph “32” of the complaint.

33. Defendant denies each and every allegation contained in paragraph “33” of the complaint.

34. Defendant denies each and every allegation contained in paragraph “34” of the complaint.

35. Defendant denies each and every allegation contained in paragraph “35” of the complaint.

36. Defendant denies each and every allegation contained in paragraph “36” of the complaint.

AS AND FOR A FIRST AFFIRMATIVE DEFENSE

37. Plaintiff has suffered no injury and, as a result, has no standing to pursue this claim.

AS AND FOR A SECOND AFFIRMATIVE DEFENSE

38. Plaintiff never attempted to dispute this debt and, as a result, defendant has the right to assume that the debt was valid. As a result, there is no legitimate cause of action contained in plaintiff’s complaint.

WHEREFORE, defendant respectfully requests that plaintiff's complaint be dismissed.

Dated: June 15, 2021  
New City, New York



---

Arthur Sanders, Esq.  
BARRON & NEWBURGER, P.C.  
*Attorney for Defendant*  
30 South Main Street  
New City, NY 10956  
845-499-2990

TO:

TAMIR SALAND, ESQ.  
STEIN SAKS PLLC  
Attorneys for plaintiff  
285 Passaic Street  
Hackensack, NJ 07601  
347-668-9326